

me, exhibit H, does establish I did not know bret was mailing stolen money orders and/or checks to the institutions in my name. In the letter, dated May 16, 2006, bret explains he is sending "over 10,000, so once this clears your account, do me a favor, could you take half of that and send it back to me in a state of California check" and at the end of the letter bret writes, "if you approached on where money comes, you don't know, ok". This letter was written to me in response to the two letters I had written bret, exhibit A @ p. 1-2, when I originally started to receive the empty envelopes from him, as the letter starts, exhibit H, "got your letter the other". In my two original letters to bret I asked him what was going on, with all of these funds he was sending me? The letter from bret was written May 16, 2006, which is after he had already mailed 10 or 11 fraudulent money orders and/or checks to the institutions in my name, exhibit D, @ p. 3, numbers 1-6; consequently, "if" I had some agreement with bret to "launder" stolen funds through the COUR trust account office, why would bret be explaining his scam to me - requesting I send him half of the money once it clears? And then why would he instruct me, "if you approached on where money came, you don't know, ok", if I supposedly knew about this "launder" scam prior? I did not even attempt to send any funds to bret, via a state of California check, because I had no idea what bret was doing or why he was mailing me all of these money orders and/or checks.

In deciding whether petitioner has met his burden of proof, the court should consider direct and circumstantial evidence and all reasonable inferences to be drawn therefrom.

Proof is the effect of evidence, the establishment of a fact by evidence, and is something more than evidence. *People v Mahoney* 1939 13 (2d 729.

More conjecture, surprise or suspicion is not the equivalent of reasonable inference and does not constitute proof. *People v Bender* 1945 21 crd 164.

Petitioner would argue Lieutenant J. Sigler based his decision of my guilt on his suspicion of me, because I am housed as a convicted felon in the CCR and therefore I am presumed guilty of every subsequent allegation.

ARGUMENT

III

FACTUAL ISSUES IN DISPUTE SHOULD BE SETTLED

In this instance a evidentiary hearing should be held to determine factual issues. In *re lawler* 1979 23 crd 190, 194, in that, how did obviously physically altered money orders and/or checks get processed onto my trust account, as funds available for me to spend? In the 2nd level reply to the writ appeal 602, exhibit N, @ p. 3, third paragraph, Coordinator D. Bell does pose this question to trust account office technician W. Necuk, to which Mr. Necuk stated, "we should have visually caught it in the beginning, due to you could tell Wmate Jones name was obviously typed over the original name printed on the check."

A superior court entertaining a habeas petition is required to conduct an evidentiary hearing if a reasonable likelihood exists that the petitioner is entitled to relief and the entitlement depends on resolving a factual issue. California Rules of Court, Rule 4.551(A).

CONCLUSION

The court entertaining a petition for a writ of habeas corpus has broad powers to fashion almost any relief. In *re Marquez* 2003

30 c4th 14, award of custody credits; In re Harrell 1970 2 c3d 675, 706
modification of conditions of prison confinement.

Petitioner would respectfully request of the court to reverse the finding of
guilt as to the serious Rule violation 115 and to restore the 150 good
time days credit to petitioner. To order all reference of the serious rule
violation 115 be removed from petitioner's cocr file.

8. Did you appeal from the conviction, sentence, or commitment? ☒ Yes. ☐ No. If yes, give the following information:

a. Name of court ("Court of Appeal" or "Appellate Dept. of Superior Court"):

b. Result N/A c. Date of decision: N/A

d. Case number or citation of opinion, if known: N/A

e. Issues raised: (1) _____

(2) _____

(3) _____

- f. Were you represented by counsel on appeal? ☒ Yes. ☐ No. If yes, state the attorney's name and address, if known:

N/A

9. Did you seek review in the California Supreme Court? ☒ Yes ☐ No. If yes, give the following information:

a. Result N/A b. Date of decision: _____

c. Case number or citation of opinion, if known: N/A

d. Issues raised: (1) _____

(2) _____

(3) _____

10. If your petition makes a claim regarding your conviction, sentence, or commitment that you or your attorney did not make on appeal, explain why the claim was not made on appeal:

N/A

11. Administrative Review:

- a. If your petition concerns conditions of confinement or other claims for which there are administrative remedies, failure to exhaust administrative remedies may result in the denial of your petition, even if it is otherwise meritorious. (See *In re Muszalski* (1975) 52 Cal.App 3d 500 [125 Cal.Rptr. 286].) Explain what administrative review you sought or explain why you did not seek such review:

I sought administrative remedies at all levels, to include the
director's level of review. See attached inmate appeal 602, exhibit N.

- b. Did you seek the highest level of administrative review available? ☒ Yes. ☐ No.

Attach documents that show you have exhausted your administrative remedies.

12. Other than direct appeal, have you filed any other petitions, applications, or motions with respect to this conviction, commitment, or issue in any court? ☒ Yes. If yes, continue with number 13. ☐ No. If no, skip to number 15.

13. a. (1) Name of court: Superior court of California county of Imperial
 (2) Nature of proceeding (for example, "habeas corpus petition"): habeas corpus petition
 (3) Issues raised: (a) Due process violation
 (b) _____
 (4) Result (Attach order or explain why unavailable): Denied - Attached order
 (5) Date of decision: June 22, 2007
- b. (1) Name of court: _____
 (2) Nature of proceeding: _____
 (3) Issues raised: (a) _____
 (b) _____
 (4) Result (Attach order or explain why unavailable): _____
 (5) Date of decision: _____

c. For additional prior petitions, applications, or motions, provide the same information on a separate page.

14. If any of the courts listed in number 13 held a hearing, state name of court, date of hearing, nature of hearing, and result:
- _____
- _____

15. Explain any delay in the discovery of the claimed grounds for relief and in raising the claims in this petition. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- _____
- _____

16. Are you presently represented by counsel? ☐ Yes. ☒ No. If yes, state the attorney's name and address, if known:
- _____

17. Do you have any petition, appeal, or other matter pending in any court? ☐ Yes. ☒ No. If yes, explain:
- _____

18. If this petition might lawfully have been made to a lower court, state the circumstances justifying an application to this court:
- _____
- _____

I, the undersigned, say: I am the petitioner in this action. I declare under penalty of perjury under the laws of the State of California that the foregoing allegations and statements are true and correct, except as to matters that are stated on my information and belief, and as to those matters, I believe them to be true.

Date: July 30, 2007

Bobby S. Jarrold
 (SIGNATURE OF PETITIONER)

FILED

JUN 22 2007

SUPERIOR COURT CA.
IMPERIAL COUNTY
JOSE O. GILLEN CLERK
BY *[Signature]* DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF IMPERIAL

In re:

BOBBY JANOE

On Habeas Corpus.

Case No. EHC-00868

**ORDER DENYING PETITION FOR WRIT OF
HABEAS CORPUS**

Petitioner, an inmate currently incarcerated at Calipatria State prison, filed the instant proceeding on May 14, 2007. Petitioner alleges that he was denied due process of law in an administrative hearing in which he was found guilty of possession of stolen property and check fraud. He was found to have received altered or stolen checks at the prison from his brother, who apparently had been arrested for burglary of a post office. Petitioner has exhausted his administrative remedies.


The disciplinary hearing was held on August 4, 2006. Petitioner testified at the hearing, and submitted declarations from his brother and mother as well as his own declaration. All declarations were to the effect that petitioner had no knowledge the checks were stolen or altered. Petitioner himself had not seen the checks, which had been deposited by prison staff.

1 The evidence at the hearing indicated that petitioner was aware of the checks to the
2 extent that they were deposited into his trust account in the amount of \$3771.71. Petitioner
3 himself had withdrawn some \$1100 from his trust account. Six empty envelopes indicating
4 correspondence between petitioner and his brother were found in his cell when it was searched.

5 The Court finds that petitioner was afforded due process of law. Further, the court's
6 review of the evidence is limited to the question of whether the decision is supported by "some"
7 evidence. *In re Powell* (1988) 45 Cal 3rd 894.

8 Inasmuch as the decision of the hearing officer was supported by some evidence, the
9 petition is denied.

10 DATED: June 20, 2007

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12 JEFFREY B. JONES
13 Judge of the Superior Court
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FILED

JUN 22 2007

SUPERIOR COURT OF CALIFORNIA
COUNTY OF IMPERIAL

SUPERIOR COURT CA.
IMPERIAL COUNTY
JOSE O. GUILLEN CLERK
DEPUTY

☐ 220 Main Street
Brawley, CA 92227

☐ 415 4th Street
Calexico, CA 92231

☒ 939 Main Street
El Centro, CA 92243

☐ PO Box 1087
2124 Winterhaven Drive
Winterhaven, CA 92243

☐ Jail Division
328 Applestill Road
El Centro, CA 92243

☐ Juvenile Division
324 Applestill Road
El Centro, CA 92243

Bobby S. Jones
Plaintiff/Petitioner,

vs.

California Department Corrections & Rehab
Defendant/Respondent.

Case No. EHC00868

DECLARATION OF MAILING

State of California, County of Imperial

I, the undersigned, certify under penalty of perjury, that I am a Deputy Clerk of the above entitled Court and not a party to the within action; that I mailed a true and correct copy of the order denying petition for writ of habeas corpus to each of the persons listed below, by depositing such notice in the United States Mail, enclosed in sealed envelopes with postage prepaid:

BOBBY JANOE, J25333
PO BOX 5004
CALIPATRIA STATE PRISON
CALIPATRIA, CA 92233

IMPERIAL COUNTY DISTRICT ATTORNEY
940 W MAIN ST.
EL CENTRO, CA 92243

JOSE O. GUILLEN, COURT EXECUTIVE OFFICER

Dated: June 22, 2007

By: 

Deputy Clerk

VERIFICATION

STATE OF CALIFORNIA COUNTY OF IMPERIAL

(C.C.P. SEC.446 & 201.5; 28 U.S.C. SEC. 1746)

I, BOBBY S. JANCE DECLARE UNDER PENALTY OF PERJURY
THAT: I AM THE DECLARANT IN THE ABOVE ENTITLED ACTION;
I HAVE READ THE FOREGOING DOCUMENTS AND KNOW THE CONTENTS THEREOF AND THE SAME IS
TRUE OF MY OWN KNOWLEDGE, EXCEPT AS TO MATTERS STATED THEREIN UPON INFORMATION, AND
BELIEF, AND AS TO THOSE MATTERS, I BELIEVE THEM TO BE TRUE.

EXECUTED THIS 30 DAY OF: July 2007 AT CALIPATRIA
STATE PRISON, CALIPATRIA, CALIFORNIA #92233-5002

(SIGNATURE)

Bobby S. Jance

(DECLARANT/PRISONER)

PROOF OF SERVICE BY MAIL

(C.C.P. SEC.1013 (a) & 2015.5; 28 U.S.C. SEC.1746)

I, Bobby S. Jance AM A RESIDENT OF CALIPATRIA STATE PRISON, IN THE COUNTY
OF IMPERIAL, STATE OF CALIFORNIA. I AM OVER THE AGE OF EIGHTEEN (18) YEARS OF AGE AND AM /~~NOT~~
A PARTY OF THE ABOVE-ENTITLED ACTION. MY STATE PRISON ADDRESS IS: P.O. BOX 5002.
CALIPATRIA, CALIFORNIA #92233-5002.

ON July 30 2007 I SERVED THE FOREGOING: petition for a writ of habeas corpus

(SET FORTH EXACT TITLE OF DOCUMENTS SERVED)

ON THE PARTY (S) HEREIN BY PLACING A TRUE COPY (S) THEREOF, ENCLOSED IN A SEALED ENVELOPE (S),
WITH POSTAGE THEREON FULLY PAID, IN THE UNITED STATES MAIL, IN A DEPOSIT BOX SO PROVIDED
AT CALIPATRIA STATE PRISON, CALIPATRIA, CALIFORNIA #92233-5002.

Court of Appeal
Fourth District, Division One
750 B Street Suite 300
San Diego CA 92101-8189

District attorney office
940 W. Main Street
El Centro CA 92243

THERE IS DELIVERY SERVICE BY UNITED STATES MAIL AT THE PLACE SO ADDRESSED, AND THERE IS
REGULAR COMMUNICATION BY MAIL BETWEEN THE PLACE OF MAILING AND THE PLACE SO ADDRESSED.
I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

DATE: July 30, 2007

Bobby S. Jance

(DECLARANT/PRISONER)

EXHIBIT

A

CAL A 0602524

RECEIVED CAL APPEALS SEP 25 2006

DECLARATION

RECEIVED CAL APPEALS SEP 29 2006

2 I BOBBY SHAWN JANOE DO DECLARE THE FOLLOWING:

3 I do have personal knowledge of the facts stated herein and

4 could testify to there truth if called as a witness.

5 RECEIVED CAL APPEALS OCT 20 2006

2. Approximately the third week of April 2006, I was talking with

6 my mother, Marilyn Janoe, on the telephone. She mentioned that my

7 brother Brian Scott Janoe had ran into Bret Harvey Janoe's

8 former wife by accident; that brian went to visit with Bret; that

9 Bret stated he was doing good; that Bret was distressed to learn

10 Bobby Shawn Janoe was in prison at Calipatria State Prison; that

11 Bret stated he would try to send Bobby some funds when he could.

12 3. I was skeptical about the news of Bret, and did not want to

13 talk about Bret, as he had stolen my property about 20 years

14 earlier and did disappear.

15 4. Approximately the last week of April 2006 I received two

16 envelopes with no letter in them, but there was numerical writing

17 on the outside of the envelope and some other writing, about

18 obtaining a attorney for me. I had no idea what was going on

19 since I had not spoken to Bret in 20 years. I thought Bret was

20 feeling guilty about stealing my property 20 years earlier and

21 was trying to make amends by sending funds.

22 5. I wrote Bret and thanked him for the funds and told him not to

23 give any funds to a attorney until he had spoken to me prior.

24 6. Approximately May 3, 2006 I turned in a trust account withdraw-

25 al order to counselor Nava, for 99.00 dollars to my mother for

26 financial aid.

27 7. I turned in a ducat for 75.00 dollars to go to canteen.

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SCREENED OUT SEP 29 2006

SCREENED OUT OCT 06 2006

RECEIVED CAL APPEALS SEP 25 2006

CAL A 0602524

RECEIVED CAL APPEALS SEP 29 2006

RECEIVED CAL APPEALS OCT 06 2006

2 Approximately the 4th or 5th of May 2006, I received three more
3 envelopes from Bret, with no letter inside, but with some numerical
4 writing on the outside of the envelopes.

5 9. I wrote Bret once again thanking him for the funds and asked
6 him what is going on.

7 10. Approximately May 24, 2006 I turned in a trust account withdra-
8 wal order to counselor Nava for 1,100.00 dollars to my mother for
9 financial aid.

10 11. I cannot remember when, but I did receive another envelope
11 from Bret with some numerical writing on the outside of the
12 envelope, but no letter inside.

13 12. Approximately June 19, 2006 the security and investigations
14 unit rushed to my assigned cell in the am. They threw my property
15 all over the cell and proceeded to confiscate every piece of
16 paper in the cell; all letters; phone books; and photos. I asked
17 officer Canada what the problem was, but he refused to respond.
18 I was escorted back to my assigned cell after the search was
19 completed.

20 13. Approximately June 20, 2006 officer Crittendon and Sergeant
21 Rutledge returned all of my property, minus the six envelopes I
22 had received from Bret. Officer crittendon asked me to sign the
23 Cell/Locker search receipt, to acknowledge they confiscated the
24 six envelopes I had received from Bret and I did. I asked
25 officer Crittendon what was going on, but he refused to even
26 discuss the matter at all. I asked Sergeant Rutledge what was
27 going on, but he too refused to discuss the matter at all.

28 14. Approximately June 28, 2006 I turned in a trust account with-
drawal order to counselor Nava for 350.00 dollars to the federal

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CAL A 0602524

1 court in San Diego California.

RECEIVED CAL APPEALS OCT 06 2006

2 15. I turned in a ducat for 50.00 dollars to go to canteen.

3 16. Approximately July 5, 2006 I turned in a trust account with-

4 drawal order to counselor Nava for 100.00 dollars to go to the
5 Superior Court in El Centro California.

6 17. Approximately July 10, 2006 I spoke to a counselor in 1
7 housing building about my trust account, as my trust account with-
8 drawals were not being processed.

9 18. Approximately July 11, 2006 I requested officer rodriguze to
10 contact the trust account office to see what the problem was with
11 my trust account. I spoke to Miss Weitceil in the trust account
12 office, who stated that Lieutenant Straton had put a freeze on the
13 withdrawal of any funds from my account.

14 19. Approximately July 12, 2006 I was called to go to the program
15 office on A-Yard, wherein facility captain Nelson and Lieutenant
16 Straton informed me that I was being issued a serious rule
17 violation(115) for possession of stolen property and check fraud.
18 20. On July 13, 2006 I typed up a letter to Miss Weitceil, making
19 a request that a notation be placed on my trust account, so that
20 no personal checks be accepted for placement onto to my trust
21 account ever again.

22 21. Approximately July 14, 2006 I received a copy of my trust
23 account activity, wherein funds were being withdrawn from my
24 account.

25 22. Approximately July 16, 2006 I typed up a letter to Miss
26 Weitceil in the trust account office, explaining that funds were
27 being withdrawn from my account and that those funds were
28 ill gotten and no one could lay claim to those funds until the

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3 SCREENED OUT OCT 06 2006

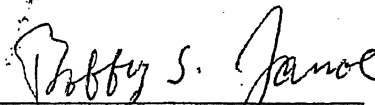
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RECEIVED CAL APPEALS SEP 29 2006

CAL A 0602524

RECEIVED CAL APPEALS OCT 06 2006

3 I declare under penalty of perjury under the laws of the
4 state of California, the foregoing is true and correct. This
5 declaration was executed on July 16, 2006, at calipatria California.

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8 Bobby Shawn Janoe

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EXHIBIT

B

RECEIVED CAL APPEALS SEP 25 2006

CAL A 0602524

RECEIVED CAL APPEALS SEP 29 2006

DECLARATION

2 RECEIVED CAL APPEALS OCT 20 2006 I, BRIAN SCOTT JANOE DO DECLARE THE FOLLOWING:

3 1. I do have personal knowledge of the facts stated herein, of Bret
4 Harvey Janoe contacting Bobby Shawn Janoe in the months of April
5 to May 2006, and could testify to there truth if called as a
6 witness.

7 2. Approximately the second week of April 2006, I ran into Bret's
8 former wife by accident. I had not seen Bret in approximately
9 20 years. Bret's former wife took me to see Bret. Upon meeting
10 Bret, he stated to me that he was doing good, and staying out of
11 trouble. Bret asked about Bobby Shawn Janoe, as to how he was
12 doing. Bret was distressed to learn Bobby Shawn Janoe was in
13 prison at Calipatria state Prison. Bret stated to me that he
14 would try to send Bobby Shawn Janoe some funds when he could.

15 3. To be honest, I did not believe Bret's comment's as we talked,
16 but I wanted to believe he had changed for the better, and gave
17 him the benefit of the doubt, as to there truthfulness.

18 4. In the next few days, as I saw my mother (Marilyn Janoe) I was
19 talking with her and explained I had seen Bret and that he was
20 doing good; that he was distressed to learn Bobby Shawn Janoe was
21 in prison; that Bret said he would try to sent Bobby Shawn Janoe
22 some funds when he could. My mother was skeptical of Bret and
23 really did not want anything to do with him. She warned me to
24 stay away from Bret.

25
26 I declare under penalty of perjury under the laws of the
27 state of California, the foregoing is true and correct. This
28 declaration was executed on 7-18 2006 in Rialto California.

Brian Scott Janoe
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SEP 25 2006
SEP 29 2006

EXHIBIT

C

CAL A 0602524

RECEIVED CAL APPEALS SEP 25 2006

DECLARATION

RECEIVED CAL APPEALS SEP 29 2006

RECEIVED CAL APPEALS OCT 06 2006
I, MARILYN JANOE DO DECLARE THE FOLLOWING:

1. I do have personal knowledge of the facts stated herein, of Bret

Harvey Janoe contacting Bobby Shawn Janoe in the months of April to May 2006, and could testify to there truth if called as a witness.

2. Approximately the second or thrid week of April 2006 as I talked with my son Brian scott Janoe he mentioned to me that he had ran into Bret Harvey Janoe's former wife; that he had went to talk with Bret; that Bret said he was doing good; that Bret was distressed to learn Bobby Shawn Janoe was in prison at calipatria State Prison; that Bret would try to send Bobby Shawn Janoe some funds when he could. I warned Brian to stay away from Bret as he could not be trusted. I told Brian the last time I had seen Bret was about 20 years ago, as he had stole some property from my house that belonged to me and some property that belonged to Bobby Shawn Janoe, and Bret disappeared.

3. Approximately the thrid week of April 2006 as I spoke to Bobby Shawn Janoe on the telephone, I mentioned that Brian had seen Bret and Bret said he was doing good and would try to send him some funds when he got a chance. Bobby Shawn Janoe was skeptical of Bret and really did not want to talk about Bret, as Bret had stolen his property 20 years earlier.

I declare under penalty of perjury under the laws of the state of California, the foregoing is true and correct. This declaration was executed on 7-18 2006 in Rialto California.

Marilyn Janoe
Marilyn Janoe

SCREENED OUT OCT 06 2006

SCREENED OUT SEP 25 2006
SCREENED OUT SEP 29 2006

EXHIBIT

D

RECEIVED CAL APPEALS SEP 25 2006

CAL A 0602524
DEPARTMENT OF CORRECTIONS

RULES VIOLATION REPORT

804 TO RECORDS:

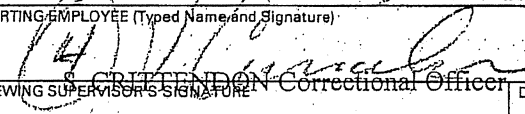
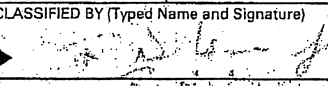
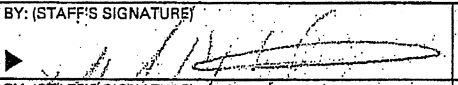
CDC NUMBER J-25333	INMATE NAME JANOE	RELEASE/BOARD DATE	INST CSP-CAL	HOUSING NO. A1-150	LOG NO. 07-06-A-005
VIOLATED RULE NO(S)		SPECIFIC ACTS POSSESSION OF STOLEN PROPERTY AND CHECK FRAUD	LOCATION A1-150	DATE 07/05/06	TIME 1000 HRS
CIRCUMSTANCES RECEIVED CAL APPEALS OCT 06 2006					

On Wednesday, July 5, 2006, Security and Investigations Unit concluded its investigation into numerous altered checks received at Calipatria State prison (CAL) for Inmate Janoe (J-25333, A1-150).

On Tuesday, June 13, 2006, at approximately 1000 hours, Security and Investigations (S&I) Officer #5 V. Canada received 2 separate original checks serial #146931907 for the amount of \$5,727.19 and serial #146931908 for the amount of \$5,190.87 from Calipatria State Prison (CAL) Inmate Trust Account Office Personnel. CAL Accounting Office received the checks on May 17, 2006 via United State Postal Services.

The checks were endorsed for payment to J. Robert West MD Inc, P.O. Box 2150, Redlands Ca. 92373-0701 with Inmate Janoe, J25333/A1-150 name and CDCR number typed in bold letters and underlined underneath the original endorsee. National Heritage Insurance Company (NHIC) generated the checks.

RVR continued on CDC-115 Part C

REPORTING EMPLOYEE (Typed Name and Signature) 	DATE 7/11/06	ASSIGNMENT S&I Officer #7	RDO'S Sun/Mon
REVIEWING SUPERVISOR'S SIGNATURE O. VALDEZ, Correctional Sergeant	DATE 7/12/06	<input type="checkbox"/> INMATE SEGREGATED-PENDING HEARING	
CLASSIFIED <input type="checkbox"/> ADMINISTRATIVE <input type="checkbox"/> SERIOUS	OFFENSE DIVISION: 11210	DATE 7/12/06	CLASSIFIED BY (Typed Name and Signature) 
HEARING REFERRED TO <input type="checkbox"/> HO <input type="checkbox"/> SHO <input type="checkbox"/> SC <input type="checkbox"/> FC		N/A	
COPIES GIVEN INMATE BEFORE HEARING			
<input checked="" type="checkbox"/> CDC 115	BY: (STAFF'S SIGNATURE) 	DATE 7/12/06	TIME 1:40
<input type="checkbox"/> INCIDENT REPORT LOG NUMBER:	BY: (STAFF'S SIGNATURE)	DATE	TIME

HEARING

REFERRED TO ☐ CLASSIFICATION ☐ BPT/NAEA

ACTION BY: (TYPED NAME)

SIGNATURE

DATE

TIME

REVIEWED BY: (SIGNATURE)

DATE

CHIEF DISCIPLINARY OFFICER'S SIGNATURE

DATE

TIME

☐ COPY OF CDC 115 GIVEN INMATE AFTER HEARING

BY: (STAFF'S SIGNATURE)

DATE

TIME

CDC 115 (7/88)

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SEP 29 2006

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OCT 06 2006

00161

CAL A 0602524

STATE OF CALIFORNIA
RECEIVED APPEALS OCT 20 2006
RULES VIOLATION REPORT - PART C

DEPARTMENT OF CORRECTIONS

PAGE 2 OF 8

CDC NUMBER J-25333	INMATE'S NAME JANOE	LOG NUMBER 07-06-A-005	INSTITUTION CSP-CAL	TODAY'S DATE 07/05/06
<input type="checkbox"/> SUPPLEMENTAL	<input checked="" type="checkbox"/> CONTINUATION OF: <input checked="" type="checkbox"/> 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input type="checkbox"/> OTHER			

The Security and Investigations Unit discovered that 10 altered checks were mailed to Inmate Janoe, J25333/A1-150 from his brother, Brett H. Janoe, from April 27, 2006 through May 30, 2006.

Brett H. Janoe is currently in custody at the West Valley Detention Facility, San Bernardino Sheriff's Dept., for Burglary. The Security & Investigations Unit was able to verify that 5 of the checks were confirmed stolen and 4 of the following checks were deposited into Janoe's trust account. (See attached copies of Trust Account Statement).

1. \$2,021.51, #010006 from Phoenix Millwork Distributors, Inc. deposited on 4-27-06.
2. \$1,298.02, #6872 from Millwork Products, Inc. deposited on 4-27-06.
3. \$222.20, Stater Bros. Inc, Money Order #47644617207 deposited on 4-27-06.
4. \$239.98, Travelers Express, Money Order #47541474860

The total amount deposited in Janoe's Inmate Trust account totals some \$3,771.71 dollars

Inmate Janoe's current balance in his trust account is \$4,345.03.

Although Inmate Janoe wasn't in a position to view the incoming checks, Inmate Janoe received monthly statements from the Calipatria Accounting Dept, indicating deposits to his account had been made, which would have given him knowledge of his account activities and current funds balance available.

On July 3, 2006, CAL Accounting Dept. reported, Janoe's deposits into his account from April 27, 2006 through May 30, 2006 was approximately \$4,909.53 dollars.

A cash withdrawal in the amount of \$530.30 dollars was withdrawn from the account prior to CAL Accounting's discovery of the altered checks.

A review of Janoe's Trust Account Statement and activity prior to the \$2,021.51 dollar deposits on April 27, 2006 clearly indicated an available zero balance.

Inmate Janoe is not a participant in the Mental Health Services Delivery System.

Inmate Janoe is aware of this report.

<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	SIGNATURE OF WRITER S. CRITTENDON, Correctional Officer	DATE SIGNED 7/11/06
	GIVEN BY: (Staff's Signature) <i>[Signature]</i>	DATE SIGNED 7-12-06
		TIME SIGNED 1440

CAL A 0602524

STATE OF CALIFORNIA RECEIVED CAL APPEALS OCT 20 2006

RULES VIOLATION REPORT - PART C

DEPARTMENT OF CORRECTIONS

PAGE 3 OF 8

CDC NUMBER J-25333	INMATE'S NAME JANOE	LOG NUMBER 07-06-A-005	INSTITUTION CSP-CAL	TODAY'S DATE 07/05/06
<input type="checkbox"/> SUPPLEMENTAL	<input checked="" type="checkbox"/> CONTINUATION OF: <input checked="" type="checkbox"/> 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input type="checkbox"/> OTHER			

The third (3rd) check serial #206430 was generated by East Valley Water District (EVWD), P.O. Box 3427 San Bernardino Ca, for the amount of \$3,187.00 with a hand written letter enclosed, dated 5-16-06 from Brett Janoe.

CAL Accounting Office received the checks on May 17, 2006. The checks are endorsed to Inmate Janoe, J25333, by typing in bold letters over the original endorsee name. A hand written 2-page letter, dated 5-16-06 was also enclosed with check #206430 and stated the following: The hand written letter indicated that "Bret Janoe" has a court case coming up next month and he needs to raise \$300,000.00 dollars to fight his case from the streets.

Bret's homeboy (unknown at this time) enclosed \$5,000 dollars for you (Referring to Inmate Janoe) plus another \$5,000.00 dollars. Bret tells (Inmate Janoe) once it clears his account, take half of it and send the other half (\$5,000.00 dollars) back him in a State of California check. (See attached)

On June 23, 2006, (CAL) Accounting Dept Personnel reported that Inmate Janoe submitted a Trust Account Withdrawal Order dated, May 25, 2006 for the amount of \$1100.00 dollars, for Financial Assistance to his mother Marilyn Janoe, P.O. Box 843, Rialto Ca. 92377. (See attached copy of Janoe's Inmate Trust Withdrawal Form) On June 20, 2006, at approximately 1130 hours, I conducted a cell search inside Inmate Janoe's cell and discovered the following 6 empty envelopes. (See attached copies of envelopes)

1. Envelope dated April 24, 2006 with a return address with the name Brett Janoe, P.O. Box 651, Running Springs, Ca. 92382 containing 2 money orders #47644617207 and #08-488156874 for a combined total in the amount of \$222.20.
2. Envelope dated April 24, 2006 with a return address with the Initials B.J., 651, RS, Ca. 92382, with check #010006 for the amount of \$2,021.51 with a hand written note from Brett Janoe telling his brother Inmate Janoe, "Let me know what you need!" "I'll send more money in a couple of days".
3. Envelope dated April 24, 2006 with a return address with the Initials B.J. 652, RS, Ca. 92382 with check #6872 for the amount of \$1,298.02 with a hand written note of check amounts and balances from Inmate Janoe.
4. Envelope dated May 02, 2006 with a return address P.O. Box 651 R. S. Calif. 92382 containing 3 money orders #7-41909243, #47541474860 for the amount of \$239.98, #48035015842.
5. Envelope dated May 02, 2006 with a return address P.O. Box 651 R.S. Calif. with checks #8164598 and #724788.
6. Envelope dated May 30, 2006 with no return address with check #206430 for the amount of \$3,187.00 dollars written on it.

On Thursday, June 21, 2006, at approximately 1530 hours, San Bernardino Sheriff's Dept. Twin Peaks Detective Pelkey called. Detective Pelkey confirmed that Bret Harvey Janoe and 2 other suspects were arrested for a Burglary of a United States Post Office on May 31, 2006, and are currently in West Valley Detention Facility, located in San Bernardino Ca. (Report #050602045).

RVR continued on CDC-115, Part C

<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	SIGNATURE OF WRITER S. CRITENDON, Correctional Officer	DATE SIGNED 7/11/06
	GIVEN BY: (Staff's Signature) <i>[Signature]</i>	DATE SIGNED 7-12-06
		TIME SIGNED 1440

STATE OF CALIFORNIA CAL APPEALS OCT 20 2006

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DEPARTMENT OF CORRECTIONS

PAGE 4 OF 8

RULES VIOLATION REPORT - PART C

CDC NUMBER	INMATE'S NAME	LOG NUMBER	INSTITUTION	TODAY'S DATE
J-25333	JANOE	07-06-A-005	CSP-CAL	07/05/06
<input type="checkbox"/> SUPPLEMENTAL	<input type="checkbox"/> CONTINUATION OF:	<input type="checkbox"/> 115 CIRCUMSTANCES	<input type="checkbox"/> HEARING	<input type="checkbox"/> IE REPORT <input checked="" type="checkbox"/> OTHER

Inmate Janoe was provided copies of the following documents:

Five (5) of the checks listed below were confirmed stolen by the Security & Investigations Units, 4 of the following checks and/or money orders were deposited into Janoe's trust account.

1. Deposit of \$2,021.51, #010006 from Phoenix Millwork Distributors, Inc.
2. Deposit of \$1,298.02, #6872 from Millwork Products, Inc.
3. Deposit of \$222.20, "Stater Bros. Inc", Money Order #47644617207.
4. Deposit of \$239.98, Travelers Express, Money Order #47541474860.
5. Deposit of \$111.72, from an unknown source at this time.
6. Deposit of \$100.00, from an unknown source at this time.
7. Deposit of \$530.98, from an unknown source at this time.
8. Deposit of \$152.30, from an unknown source at this time.
10. Deposit of check # 8164598, \$225.74, from an unknown source at this time.
11. Deposit of check # 7247788, \$503.98, from an unknown source at this time.
12. Check serial #146931907 for the amount of \$5,727.19
13. Check serial #146931908 for the amount of \$5,190.87
14. Check serial # 206430 for the amount of \$3,187.00
15. Handwritten letter dated 5/16/06. (2 pages)
16. CDC-193 Trust Account Withdrawal Order dated May 25, 2006 for the amount of \$1100.00 signed by Inmate Janoe and noted and dated 5/29/06 by a CC1 staff member.
17. Six (6) enveloped addressed to Inmate Janoe notating items #1 through #11 listed above as being enclosed.
18. Handwritten calculations of amounts received recovered from Inmate Janoe's cell by S&I Officer Crittendon on June 20, 2006.
19. CDC Inmate Trust Account Activity report for Inmate Janoe (J-25333). (2 pages)
20. Memorandum dated June 13, 2006, authored by V. Canada, Security and Investigations.

<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	SIGNATURE OF WRITER <i>[Signature]</i> S. CRITTENDON, Correctional Officer	DATE SIGNED 7/11/06
	GIVEN BY: (Staff's Signature) <i>[Signature]</i>	DATE SIGNED 7-12-06
		TIME SIGNED 1440

CAL

A 0602524

STATE OF CALIFORNIA
 RECEIVED CAL APPEALS OCT 20 2005
 RULES VIOLATION REPORT - PART C

DEPARTMENT OF CORRECTIONS
 PAGE 5 OF 8

CDC NUMBER	INMATE'S NAME	LOG NUMBER	INSTITUTION	TODAY'S DATE
J-25333	JANOE	07-06-A-005	CSP-CAL	07/05/06
<input checked="" type="checkbox"/> SUPPLEMENTAL <input type="checkbox"/> CONTINUATION OF: <input type="checkbox"/> 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input type="checkbox"/> OTHER				

On Tuesday, June 13, 2006, at approximately 1000 hours, while performing my duties as Security & Investigations (S&I) Officer #5, I received two (2) separate envelopes addressed to Inmate Bobby Janoe J25333/A1-150 from the Inmate Trust Account Office Technician W. Neciuk. The first letter contained two (2) separate checks entitled "Medicare Payment", both made out to J. Robert West MD Inc. P.O. Box 2150 Redlands, CA 92373-0701 and to Bobby Janoe #J25333 in a visibly bolder font, (see attached copies). The first check serial number was #146931908 made in the amount of \$5,190.87 and the second check serial number was #146931907 made in the amount of \$5,727.19. The second envelope contained a letter dated "5-16-06" and a third check from East Valley Water District" written to "Bobby Janoe #J25333" PO Box 5069 San Bernardino, CA 92412-5069. It should be noted Inmate Janoe's name is in a visibly bolder font and appears to be written over another person's name. The serial number is 206430 and made in the amount of \$3,187.00. The envelopes of both the first and second check were postmarked San Bernardino May 17, 2006. The return address for both envelopes was:

"B
 Box 651
 R.S., Ca 92382"

I advised S&I Sergeant (Sgt.) S. Rutledge of the information and placed the original envelopes, three (3) checks, and the letter into evidence locker #10 at Central Control. A copy of this report was turned over to S&I Officer S. Crittendon as part of an ongoing investigation into illegal activities by Inmate Janoe.

Security and Investigations at Calipatria State Prison will continue to monitor the activities of the inmates whose names appear in this report. Their involvement in illegal activities should be closely monitored and documented when new information is discovered.

It should be noted that the information contained in this report was originally deemed Confidential in nature due to an on going investigation. Due to the completion of the investigation it has been reclassified as non-Confidential, (refer to Memorandum #IUR 06-026, dated June 14, 2006, authored by S&I Officer S. Crittendon).

The information on this report does meet the criteria for reliability per CCR Title 15, Section 3321 (c) (4):

Part of the information provided is corroborated through investigation or by information provided by non-confidential sources.

I request a copy of this report be placed in the General Section of Inmate Janoe's J25333 Central File.

Inmate JANOE is not a participant of the Mental Health Delivery System (MHSDS).

Inmate JANOE is aware of this report.

This concludes my report.

<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	SIGNATURE OF WRITER V. Canada, Correctional Officer	DATE SIGNED 7/11/06
	GIVEN BY: (Staff's Signature) <i>[Signature]</i>	DATE SIGNED 7-12-06
		TIME SIGNED 1446

CA

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0602524

DEPARTMENT OF CORRECTIONS

PAGE 6 OF 8

STATE OF CALIFORNIA

RULES VIOLATION REPORT PART C

CDC NUMBER	INMATE'S NAME	LOG NUMBER	INSTITUTION	TODAY'S DATE
I-25333	JANOE	07-06-A-005	CSP-CAL	07/14/06
<input type="checkbox"/> SUPPLEMENTAL <input checked="" type="checkbox"/> CONTINUATION OF: <input checked="" type="checkbox"/> 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input type="checkbox"/> OTHER				

I placed the original envelope and the (2) two money orders into evidence locker number #5 located in Central Control. A copy of this report is being submitted as a supplemental report to the ongoing investigation into illegal activities by Inmate Janoe.

S&I at Calipatria State Prison will continue to monitor the activities of those inmates whose names appear in this report. Their involvement in illegal activities should be closely monitored and documented when new information is discovered.

This information does meet the criteria for Confidentiality per California Code of Regulations (CCR), Title 15, section; §3321(c) (4). Part of the information provided is corroborated through investigation or by information provided by non-confidential sources.

I request that a copy of this report be placed in the general section of Inmate Janoe's Central File.

Inmate Janoe is not a participant of the Mental Health Delivery System (MHSDS). Inmate Janoe is aware of this report.

This concludes my report.

<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	SIGNATURE OF WRITER V. Canada, Correctional Officer	DATE SIGNED 7-17-06
	GIVEN BY: (Staff's Signature)	DATE SIGNED 0820
		TIME SIGNED 7-17-06

CAL

A 0602524

STATE OF CALIFORNIA

RULES VIOLATION REPORT - PART C

DEPARTMENT OF CORRECTIONS

PAGE 7 OF 8

CDC NUMBER	INMATE'S NAME	LOG NUMBER	INSTITUTION	TODAY'S DATE
J-25333	JANOE	07-06-A-005	CSP-CAL	07/14/06
<input type="checkbox"/> SUPPLEMENTAL	<input checked="" type="checkbox"/> CONTINUATION OF: <input checked="" type="checkbox"/> 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input type="checkbox"/> OTHER			

On Friday, July 14, 2006, at approximately 0800 hours, while performing my duties as Security and Investigations (S&I) Officer #5, I was advised by S&I Sergeant (Sgt) Rutledge that two (2) additional money orders serial #57-42718592 for the amount of \$287.67 dollars and serial #08-532968393 for the amount of \$86.00 dollars addressed to Bobby Janoe (J-25333, A1-150) had been confiscated from Calipatria State Prison (CAL) Inmate Trust Account Office Personnel. CAL Accounting Office received the checks on July 12, 2006 via United State Postal Services. The two (2) additional money orders appeared to be stolen checks, which relate to an investigation conducted by CAL Security and Investigations Officer S. Crittedon completed on July 5, 2006, during which Inmate Janoe was identified as receiving stolen checks.

The envelope containing the (2) two money orders were addressed to:

"Bobby Janoe J-25333
Unit A1-150
P.O. Box 5002
Calipatria, Calif 92233
Enclosed \$287.67
\$86.00
\$373.67
Enjoy Bro"

The post date on the envelope is July 12, 2006 from San Bernardino and the return address is:

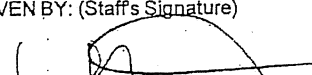
"Robert"
Box 1707
S.B. Ca 92408

The first money order confiscated was from Continental Express" Money Order Company Inc. serial #57-42718592 for the amount of \$287.67 dollars made payable to "Bobby Janoe, Account # J-25333". The money order was typed out, however the information was hand written in visibly bolder black ink similar to the previous checks determined to be stolen.

The second money order confiscated was from "Western Union" Money Order Company Inc. serial #08-532968393 for the amount of \$86.00 dollars made payable to "Bobby Janoe, Account # J-25333". The money order was typed out, however the information was hand written in visibly bolder black ink similar to the previous checks determined to be stolen.

It should be noted that earlier checks and money orders received by Inmate Janoe contained similar handwriting covering up the true intended recipients name and personal information were determined to be stolen.

RVR continued on CDC-115 Part C

SIGNATURE OF WRITER		DATE SIGNED	
V. Canada, Correctional Officer		7-17-06	
GIVEN BY: (Staff's Signature)		DATE SIGNED	TIME SIGNED
		0800	7-17-06

☐ COPY OF CDC 115-C GIVEN TO INMATE

CAL

A 0602524

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

RULES VIOLATION REPORT PART 01S OCT 20 2006

PAGE 8 OF 8

CDC NUMBER J-25333	INMATE'S NAME JANOE	LOG NUMBER 07-06-A-005	INSTITUTION CSP-CAL	TODAY'S DATE 07/17/06
<input type="checkbox"/> SUPPLEMENTAL <input type="checkbox"/> CONTINUATION OF: <input type="checkbox"/> 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input type="checkbox"/> OTHER				

On, May 17, 2006 at approximately 1000 hours, while performing my duties processing monies received from the institutional mail room, I discovered that check(s) serial #146931907 for the amount of \$5,727.19 and check serial #146931908 for the amount of \$5,190.87 appeared to have been altered. Calipatria State Prison (CAL) Inmate Trust Account Office Personnel received the checks via the institutional mail. I notified Security and Investigations (S&I) Officer #5 V. Canada that I had received, 2 original checks serial #146931907 for the amount of \$5,727.19 and check serial #146931908 for the amount of \$5,190.87 endorsed for payment to a J. Robert West MD Inc, P.O. Box 2150, Redlands Ca. 92373-0701 and below the physician's name typed in bold letters and underlined, was Inmate Janoe, J25333/A1-150, underneath the original endorsee. Both checks were generated by National Heritage Insurance Company (NHIC) for Medicare Payment. On Tuesday, June 13, 2006, at approximately 1000 hours, I relinquished the checks to Squad Officer Canada.

Inmate Janoe is not a participant of the Mental Health Delivery System (MHSDS).

<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	SIGNATURE OF WRITER G. SHEPHERD <i>G. Shepherd</i>	DATE SIGNED 7/18/06	
	GIVEN BY: (Staff's Signature) <i>Chamego</i>	DATE SIGNED 7-18-06	TIME SIGNED 1105

EXHIBIT

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0602524

RECEIVED CAL APPEALS SEP 29 2006

STATE OF CALIFORNIA
CRIME-INCIDENT REPORT OCT 06 2006
PART A - COVER SHEET
CDCR 837-A (Rev. 07/05)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

INSTITUTION CAL		FACILITY CEN	FACILITY LEVEL <input type="checkbox"/> III <input checked="" type="checkbox"/> IV	INCIDENT SITE Mialroom	LOCATION A1-150	INCIDENT LOG NUMBER CAL-CEN-06-07-0244	INCIDENT DATE 07/20/06	INCIDENT TIME 900
SPECIFIC CRIME / INCIDENT Theft in excess of \$500.00						<input checked="" type="checkbox"/> CCR <input type="checkbox"/> PC <input type="checkbox"/> N/A NUMBER/SUBSECTION: 3012		
D. A. REFERRAL ELIGIBLE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			CRISIS RESPONSE TEAM ACTIVATED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			MUTUAL AID REQUEST <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		PIO/AA NOTIFIED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

RELATED INFORMATION (CHECK ALL THAT APPLY OR N/A)

DEATH		CAUSE OF DEATH		ASSAULT / BATTERY		TYPE OF ASSAULT / BATTERY	
<input type="checkbox"/> INMATE	<input type="checkbox"/> ACCIDENTAL	<input type="checkbox"/> NATURAL	<input type="checkbox"/> ON INMATE	<input type="checkbox"/> BEATING	<input type="checkbox"/> SPEARING		
<input type="checkbox"/> STAFF	<input type="checkbox"/> EXECUTION	<input type="checkbox"/> UNKNOWN	<input type="checkbox"/> ON STAFF	<input type="checkbox"/> GASSING	<input type="checkbox"/> STABBING		
<input type="checkbox"/> VISITOR	<input type="checkbox"/> HOMICIDE		<input type="checkbox"/> ON VISITOR	<input type="checkbox"/> POISONING	<input type="checkbox"/> STRANGLING		
<input type="checkbox"/> OTHER:	<input type="checkbox"/> SUICIDE		<input type="checkbox"/> OTHER:	<input type="checkbox"/> SEXUAL	<input type="checkbox"/> OTHER:		
<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> OVERDOSE		<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> SHOOTING	<input checked="" type="checkbox"/> N/A		
SERIOUS INJURY		INMATE WEAPONS		TYPE OF WEAPON / SHOTS FIRED / FORCE			
<input type="checkbox"/> INMATE	<input type="checkbox"/> CHEMICAL SUBSTANCE	TYPE:		WEAPON: WARNING # EFFECT # BATON ROUND			
<input type="checkbox"/> STAFF	<input type="checkbox"/> CLUB / BLUDGEON	<input type="checkbox"/> COMMERCIAL WEAPON		TYPE / NO:			
<input type="checkbox"/> VISITOR	<input type="checkbox"/> EXPLOSIVE	<input type="checkbox"/> INMATE MANUFACTURED WEAPON		WOOD			
<input type="checkbox"/> OTHER:	<input type="checkbox"/> FIREARM			RUBBER			
<input type="checkbox"/> N/A	<input type="checkbox"/> HANDS / FEET			FOAM			
	<input type="checkbox"/> KNIFE			STINGER:			
	<input type="checkbox"/> SAP/SLUNG SHOT			37MM .32 (A)			
	<input type="checkbox"/> PROJECTILE			L8 .60 (B)			
	<input type="checkbox"/> SPEAR			40MM EXACTIMPACT			
	<input type="checkbox"/> SLASHING INSTRUMENT: (TYPE)			40MM MULTI CTS 4557			
	<input type="checkbox"/> STABBING INSTRUMENT: (TYPE)			HFWR5 XM 1006			
	<input type="checkbox"/> OTHER:			FORCE			
	<input type="checkbox"/> BODILY FLUID	<input type="checkbox"/> OTHER FLUID:		EXPANDABLE BATON			
	<input type="checkbox"/> UNKNOWN LIQUID			PHYSICAL FORCE			
	<input checked="" type="checkbox"/> N/A			X10			
				OTHER:			
ESCAPES				CHEMICAL			
<input type="checkbox"/> W / FORCE				<input type="checkbox"/> OC			
<input type="checkbox"/> W/O FORCE				<input type="checkbox"/> CN			
<input type="checkbox"/> ATTEMPTED				<input type="checkbox"/> CS			
<input type="checkbox"/> N/A				<input checked="" type="checkbox"/> N/A			

CONTROLLED SUBSTANCE		WEIGHT		PROGRAM STATUS		EXCEPTIONAL ACTIVITY	
<input type="checkbox"/> POSITIVE UA	<input type="checkbox"/> WITH PACKAGING	<input type="checkbox"/> MODIFIED PROGRAM	<input type="checkbox"/> EMPLOYEE JOB ACTION		<input type="checkbox"/> WEATHER		
<input type="checkbox"/> CONTROLLED MEDS	<input type="checkbox"/> W/O PACKAGING	<input type="checkbox"/> LOCKDOWN	<input type="checkbox"/> ENVIRONMENTAL HAZARD		<input type="checkbox"/> SEARCH WARRANT		
<input type="checkbox"/> AMPHETAMINE	PRELIMINARY LAB	<input type="checkbox"/> STATE OF EMERGENCY	<input type="checkbox"/> EXPLOSION		<input type="checkbox"/> ARREST		
<input type="checkbox"/> BARBITURATES		IF YES, LIST AFFECTED PROGRAMS	<input type="checkbox"/> FIRE		<input checked="" type="checkbox"/> OTHER:		
<input type="checkbox"/> COCAINE			<input type="checkbox"/> GANG/DISRUPTIVE GROUP		Theft in excess of \$500		
<input type="checkbox"/> CODEINE			<input type="checkbox"/> HOSTAGE				
<input type="checkbox"/> HEROIN			<input type="checkbox"/> INMATE STRIKE		EXTRACTION:		
<input type="checkbox"/> MARIJUANA/THC			<input type="checkbox"/> MAJOR DISTURBANCE		<input type="checkbox"/> CALCULATED		
<input type="checkbox"/> METHAMPHETAMINE			<input type="checkbox"/> MAJOR POWER OUTAGE		<input type="checkbox"/> EMERGENCY		
<input type="checkbox"/> MORPHINE			<input type="checkbox"/> NATURAL DISASTER		<input type="checkbox"/> N/A		
<input type="checkbox"/> OTHER:			<input type="checkbox"/> PUBLIC DEMONSTRATION				
<input checked="" type="checkbox"/> N/A			<input type="checkbox"/> SPECIAL INTEREST I/M				

BRIEF DESCRIPTION OF INCIDENT (ONE OR TWO SENTENCES):

On Friday July 20, 2006 information was received that Calipatria State Prison would suffer a loss of in excess of \$500.00 based on the actions of Inmate Janoe (J-25333, A1-150L)

COMPLETE SYNOPSIS / SUMMARY ON PART A1

NAME OF REPORTING STAFF (PRINT/TYPE) G. STRATTON		TITLE Lieutenant	ID # 1761045	BADGE # 34114
SIGNATURE OF REPORTING STAFF <i>G. Stratton</i>		PHONE EXT. (INCIDENT SITE) 7100	DATE 07/14/06	
NAME OF WARDEN / AOB (PRINT/SIGN) L. E. SCRIBNER		TITLE Warden	DATE 7/24/06	

SCREENED OUT

SEP 29 2006

OCT 06 2006

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STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CRIME / INCIDENT REPORT
PART A1 - SUPPLEMENT
CDCR 837-A1 (07/05)

PAGE 2 OF 12INCIDENT LOG NUMBER
CAL-CEN-06-07-0244

INSTITUTION CAL	FACILITY CEN	INCIDENT DATE 07/20/06	INCIDENT TIME 900
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TYPE OF INFORMATION:

☒ SYNOPSIS/SUMMARY OF INCIDENT ☐ SUPPLEMENTAL INFORMATION ☐ AMENDED INFORMATION ☐ CLOSURE REPORT

NARRATIVE:

On Friday July 20, 2006 information was received from CAL Accounting Office (P Weitzell) that based on the actions of Inmate Janoe (J-25333, A1-150L) Calipatria State Prison (CAL) would suffer a loss in excess of \$500.00 (\$529.52)

On July 5, 2006 CAL Investigative Service Unit (ISU) completed an investigation into Inmate Janoe and an accomplice outside of prison (his brother Brett JANOE) attempting to "launder" money through the institution. During the investigation it was determined that Inmate Janoe was working with Brett Janoe, who would send him stolen checks or money orders in an attempt to have the money "placed on Inmate Janoe's books" (in his Inmate Trust Account). Once the money was received by CAL and placed on his "books" he would then send one-half of the money back and keep the remaining money. The money being sent back to the individual would be sent via a "State of California" check and thus "be clean money." ISU staff completed an Investigative Services Unit Report documenting this investigation.

USE OF FORCE:

There was no use of force during this incident, nor were there any allegations of excessive or unnecessary force used by staff.

SUSPECTS:

Janoe, J-25333, A1-150L

VICTIMS:

There were no inmates identified as victims during this incident.

DECONTAMINATION:

Neither inmate was exposed to chemical agents, therefore they were not afforded the opportunity to decontaminate.

ESCORTS:

Correctional Officer S. Crittendon (Security Squad Officer # 7) removed Janoe from his cell and escorted him to a shower within the unit where an unclothed body search was conducted for weapons or contraband with negative results.

SEARCHES:

Officer Crittendon conducted unclothed body searches of Janoe for the presence of weapons or contraband with negative results. During a search of the cell Officer Crittendon did discover several items associated with Janoe's attempt to "launder" money through his Inmate Trust Account. These included written letters and envelopes. The items were placed into an evidence locker located in Central Control.

CRIME SCENE/EVIDENCE:

Officer Crittendon retained possession of the evidence until he placed it into an evidence locker located in Central Control.


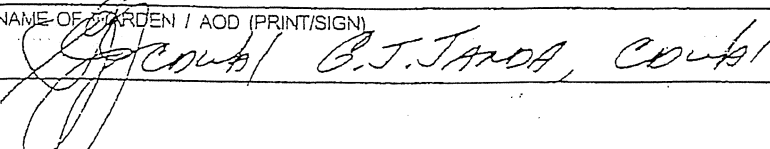
MEDICAL/STAFF:

There were no injuries to staff as a result of this incident.

MEDICAL/INMATES:

Inmate Janoe was not seen by on duty medical staff and a CDC 7219 Medical Report of Injury or Unusual Occurrence was not completed.

☒ CHECK IF NARRATIVE IS CONTINUED ON ADDITIONAL A1

NAME OF REPORTING STAFF (PRINT/TYPE) G. STRATTON	TITLE Lieutenant	ID # 1761045	BADGE # 34114
SIGNATURE OF REPORTING STAFF 	PHONE EXT. (INCIDENT SITE) 7100	DATE 07/20/06	
NAME OF WARDEN / AOD (PRINT/SIGN)  G. J. JANOE, Comptroller	TITLE Comptroller	DATE 7/24/06	

00171

CAL

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RECEIVED CAL APPEALS SEP 29 2006

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CRIME / INCIDENT REPORT
PART A1 - SUPPLEMENT
CDCR 837-A1 (07/05)

PAGE <u>3</u> OF <u>12</u>	INCIDENT LOG NUMBER CAL-CEN-06-07-0244
INSTITUTION <u>CAL</u> FACILITY <u>CEN</u>	INCIDENT DATE 07/20/06
	INCIDENT TIME 900

TYPE OF INFORMATION:

☐ SYNOPSIS/SUMMARY OF INCIDENT
 ☐ SUPPLEMENTAL INFORMATION
 ☐ AMENDED INFORMATION
 ☐ CLOSURE REPORT

NARRATIVE:

ADDITIONAL INFORMATION:

Inmate Janoe will be issued a CDC 115, Serious Rules Violation Report for violation of California Code Of Regulations, Section 3012 for the specific act of Possession of Stolen Property and Check Fraud Log # 07-06-A-005, Theft.

This matter may be referred to the Imperial County District Attorney's Officer for possible felony prosecution.

ISU staff have been informed that other agencies are investigating this matter and may prosecuting this matter in a county other than Imperial

CAL ISU staff have been notified that several other law enforcement agencies are looking into this matter and may prosecute Inmate Janoe for his actions.

☐ CHECK IF NARRATIVE IS CONTINUED ON ADDITIONAL A1

NAME OF REPORTING STAFF (PRINT/TYPE) G. STRATTON	TITLE Lieutenant	ID # 1761045	BADGE # 34114
SIGNATURE OF REPORTING STAFF <i>G. Stratton</i>	PHONE EXT. (INCIDENT SITE) 7100	DATE 07/20/06	
NAME OF WARDEN / AOD (PRINT/SIGN) <i>G. J. Janoe</i>	TITLE SCREENED OUT	DATE OCT 06 2006	DATE 7/21/06

SCREENED OUT

SEP 29 2006

00172

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CRIME / INCIDENT REPORT
PART B1 - INMATE
CDCR 837-B1 (07/05)

PAGE 4 OF 12

INSTITUTION CAL		FACILITY CEN		INCIDENT LOG NUMBER CAL-CEN-06-07-0244					
INMATE (ENTIRE SHEET)									
NAME: LAST JANOE		FIRST Bobby		MI	CDC # J25333	SEX M	ETHNICITY WHI	FBI #	CII #
CHECK ONE	CLASS SCORE	PV RTC <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DATE REC'D BY CDC	DATE REC'D BY INST	ANTICIPATED RELEASE DATE	EXTRACTION <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DOB	HOUSING ASSIGN. A1-150	
VICTIM	<input type="checkbox"/> CCCMS <input type="checkbox"/> MHCB	<input type="checkbox"/> EOP <input type="checkbox"/> DDP	<input type="checkbox"/> DPP <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> DMH	COMMITMENT OFFENSE			COUNTY OF COMMITMENT	
SUSPECT									
WITNESS									
DESCRIPTION OF INJURIES:						PRISON GANG / DISRUPTIVE GROUP			
<input checked="" type="checkbox"/> N/A						<input type="checkbox"/> VALIDATED <input type="checkbox"/> ASSOCIATED <input checked="" type="checkbox"/> N/A			
<input type="checkbox"/> HOSPITALIZED <input type="checkbox"/> TREATED & RELEASED <input type="checkbox"/> REFUSED TREATMENT						NAME/LOCATION OF HOSP./TREAT. FACILITY			
<input type="checkbox"/> DECEASED DATE: _____ <input checked="" type="checkbox"/> N/A						<input checked="" type="checkbox"/> N/A			
NAME: LAST		FIRST		MI	CDC #	SEX	ETHNICITY	FBI #	CII #
CHECK ONE	CLASS SCORE	PV RTC <input type="checkbox"/> YES <input type="checkbox"/> NO	DATE REC'D BY CDC	DATE REC'D BY INST	ANTICIPATED RELEASE DATE	EXTRACTION <input type="checkbox"/> YES <input type="checkbox"/> NO	DOB	HOUSING ASSIGN.	
<input type="checkbox"/> VICTIM	<input type="checkbox"/> CCCMS <input type="checkbox"/> MHCB	<input type="checkbox"/> EOP <input type="checkbox"/> DDP	<input type="checkbox"/> DPP <input type="checkbox"/> N/A	<input type="checkbox"/> DMH	COMMITMENT OFFENSE			COUNTY OF COMMITMENT	
<input type="checkbox"/> SUSPECT									
<input type="checkbox"/> WITNESS									
DESCRIPTION OF INJURIES:						PRISON GANG / DISRUPTIVE GROUP			
<input type="checkbox"/> N/A						<input type="checkbox"/> VALIDATED <input type="checkbox"/> ASSOCIATED <input type="checkbox"/> N/A			
<input type="checkbox"/> HOSPITALIZED <input type="checkbox"/> TREATED & RELEASED <input type="checkbox"/> REFUSED TREATMENT						NAME/LOCATION OF HOSP./TREAT. FACILITY			
<input type="checkbox"/> DECEASED DATE: _____ <input type="checkbox"/> N/A						<input type="checkbox"/> N/A			
NAME: LAST		FIRST		MI	CDC #	SEX	ETHNICITY	FBI #	CII #
CHECK ONE	CLASS SCORE	PV RTC <input type="checkbox"/> YES <input type="checkbox"/> NO	DATE REC'D BY CDC	DATE REC'D BY INST	ANTICIPATED RELEASE DATE	EXTRACTION <input type="checkbox"/> YES <input type="checkbox"/> NO	DOB	HOUSING ASSIGN.	
<input type="checkbox"/> VICTIM	<input type="checkbox"/> CCCMS <input type="checkbox"/> MHCB	<input type="checkbox"/> EOP <input type="checkbox"/> DDP	<input type="checkbox"/> DPP <input type="checkbox"/> N/A	<input type="checkbox"/> DMH	COMMITMENT OFFENSE			COUNTY OF COMMITMENT	
<input type="checkbox"/> SUSPECT									
<input type="checkbox"/> WITNESS									
DESCRIPTION OF INJURIES:						PRISON GANG / DISRUPTIVE GROUP			
<input type="checkbox"/> N/A						<input type="checkbox"/> VALIDATED <input type="checkbox"/> ASSOCIATED <input type="checkbox"/> N/A			
<input type="checkbox"/> HOSPITALIZED <input type="checkbox"/> TREATED & RELEASED <input type="checkbox"/> REFUSED TREATMENT						NAME/LOCATION OF HOSP./TREAT. FACILITY			
<input type="checkbox"/> DECEASED DATE: _____ <input type="checkbox"/> N/A						<input type="checkbox"/> N/A			
NAME: LAST		FIRST		MI	CDC #	SEX	ETHNICITY	FBI #	CII #
CHECK ONE	CLASS SCORE	PV RTC <input type="checkbox"/> YES <input type="checkbox"/> NO	DATE REC'D BY CDC	DATE REC'D BY INST	ANTICIPATED RELEASE DATE	EXTRACTION <input type="checkbox"/> YES <input type="checkbox"/> NO	DOB	HOUSING ASSIGN.	
<input type="checkbox"/> VICTIM	<input type="checkbox"/> CCCMS <input type="checkbox"/> MHCB	<input type="checkbox"/> EOP <input type="checkbox"/> DDP	<input type="checkbox"/> DPP <input type="checkbox"/> N/A	<input type="checkbox"/> DMH	COMMITMENT OFFENSE			COUNTY OF COMMITMENT	
<input type="checkbox"/> SUSPECT									
<input type="checkbox"/> WITNESS									
DESCRIPTION OF INJURIES:						PRISON GANG / DISRUPTIVE GROUP			
<input type="checkbox"/> N/A						<input type="checkbox"/> VALIDATED <input type="checkbox"/> ASSOCIATED <input type="checkbox"/> N/A			
<input type="checkbox"/> HOSPITALIZED <input type="checkbox"/> TREATED & RELEASED <input type="checkbox"/> REFUSED TREATMENT						NAME/LOCATION OF HOSP./TREAT. FACILITY			
<input type="checkbox"/> DECEASED DATE: _____ <input type="checkbox"/> N/A						<input type="checkbox"/> N/A			
NAME: LAST		FIRST		MI	CDC #	SEX	ETHNICITY	FBI #	CII #
CHECK ONE	CLASS SCORE	PV RTC <input type="checkbox"/> YES <input type="checkbox"/> NO	DATE REC'D BY CDC	DATE REC'D BY INST	ANTICIPATED RELEASE DATE	EXTRACTION <input type="checkbox"/> YES <input type="checkbox"/> NO	DOB	HOUSING ASSIGN.	
<input type="checkbox"/> VICTIM	<input type="checkbox"/> CCCMS <input type="checkbox"/> MHCB	<input type="checkbox"/> EOP <input type="checkbox"/> DDP	<input type="checkbox"/> DPP <input type="checkbox"/> N/A	<input type="checkbox"/> DMH	COMMITMENT OFFENSE			COUNTY OF COMMITMENT	
<input type="checkbox"/> SUSPECT									
<input type="checkbox"/> WITNESS									
DESCRIPTION OF INJURIES:						PRISON GANG / DISRUPTIVE GROUP			
<input type="checkbox"/> N/A						<input type="checkbox"/> VALIDATED <input type="checkbox"/> ASSOCIATED <input type="checkbox"/> N/A			
<input type="checkbox"/> HOSPITALIZED <input type="checkbox"/> TREATED & RELEASED <input type="checkbox"/> REFUSED TREATMENT						NAME/LOCATION OF HOSP./TREAT. FACILITY			
<input type="checkbox"/> DECEASED DATE: _____ <input type="checkbox"/> N/A						<input type="checkbox"/> N/A			

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DEPARTMENT OF CORRECTIONS

RECEIVED CAL APPEALS SEP 29 2006
 STATE OF CALIFORNIA
 CRIME/INCIDENT REPORT
 PART B2- STAFF
 CDC 837-B2 (09/03)

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INSTITUTION: RECEIVED CAL APPEALS OCT 06 FACILITY

FACILITY A

INCIDENT LOG NUMBER

STAFF (ENTIRE SHEET)

NAME: LAST Weitzel	FIRST P.	MI L.	TITLE ACCT CLERK II	SEX E	ETHNICITY WHI	RDO'S S/S/H
CHECK ONE <input type="checkbox"/> PRIMARY <input type="checkbox"/> CAMERA <input checked="" type="checkbox"/> RESPONDER <input type="checkbox"/> WITNESS <input type="checkbox"/> VICTIM		BADGE # N/A	ID # 176333	POST ASSIGN. #	POSITION ACCOUNTING OFFICE	
DESCRIPTION OF INJURIES: <input checked="" type="checkbox"/> N/A						
<input type="checkbox"/> HOSPITALIZED <input type="checkbox"/> TREATED & RELEASED		NAME/LOCATION OF HOSP./TREAT. FACILITY		USED FORCE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		PROCESSED EVIDENCE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="checkbox"/> REFUSED TREATMENT				TYPE:		
<input type="checkbox"/> DECEASED DATE: <input checked="" type="checkbox"/> N/A		<input checked="" type="checkbox"/> N/A				

NAME: LAST Crittendon	FIRST S	MI	TITLE C6	SEX M	ETHNICITY BLA	RDO'S S/S
CHECK ONE <input checked="" type="checkbox"/> PRIMARY <input type="checkbox"/> CAMERA <input type="checkbox"/> RESPONDER <input type="checkbox"/> WITNESS <input type="checkbox"/> VICTIM		BADGE # 60444	ID # 176230	POST ASSIGN. # 220247	POSITION S+I #7	
DESCRIPTION OF INJURIES: <input checked="" type="checkbox"/> N/A						
<input type="checkbox"/> HOSPITALIZED <input type="checkbox"/> TREATED & RELEASED		NAME/LOCATION OF HOSP./TREAT. FACILITY		USED FORCE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		PROCESSED EVIDENCE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> REFUSED TREATMENT				TYPE:		
<input type="checkbox"/> DECEASED DATE: <input checked="" type="checkbox"/> N/A		<input checked="" type="checkbox"/> N/A				

NAME: LAST Canada	FIRST V	MI C	TITLE C10	SEX M	ETHNICITY W	RDO'S SPH
CHECK ONE <input type="checkbox"/> PRIMARY <input type="checkbox"/> CAMERA <input checked="" type="checkbox"/> RESPONDER <input type="checkbox"/> WITNESS <input type="checkbox"/> VICTIM		BADGE # 3939	ID # 176226	POST ASSIGN. # 220245	POSITION S+I #5	
DESCRIPTION OF INJURIES: <input checked="" type="checkbox"/> N/A						
<input type="checkbox"/> HOSPITALIZED <input type="checkbox"/> TREATED & RELEASED		NAME/LOCATION OF HOSP./TREAT. FACILITY		USED FORCE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		PROCESSED EVIDENCE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> REFUSED TREATMENT				TYPE:		
<input type="checkbox"/> DECEASED DATE: <input checked="" type="checkbox"/> N/A		<input checked="" type="checkbox"/> N/A				

NAME: LAST	FIRST	MI	TITLE	SEX	ETHNICITY	RDO'S
CHECK ONE <input type="checkbox"/> PRIMARY <input type="checkbox"/> CAMERA <input type="checkbox"/> RESPONDER <input type="checkbox"/> WITNESS <input type="checkbox"/> VICTIM		BADGE #	ID #	POST ASSIGN. #	POSITION	
DESCRIPTION OF INJURIES: <input type="checkbox"/> N/A						
<input type="checkbox"/> HOSPITALIZED <input type="checkbox"/> TREATED & RELEASED		NAME/LOCATION OF HOSP./TREAT. FACILITY		USED FORCE <input type="checkbox"/> YES <input type="checkbox"/> NO		PROCESSED EVIDENCE <input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> REFUSED TREATMENT				TYPE:		
<input type="checkbox"/> DECEASED DATE: <input type="checkbox"/> N/A		<input type="checkbox"/> N/A				

NAME: LAST	FIRST	MI	TITLE	SEX	ETHNICITY	RDO'S
CHECK ONE <input type="checkbox"/> PRIMARY <input type="checkbox"/> CAMERA <input type="checkbox"/> RESPONDER <input type="checkbox"/> WITNESS <input type="checkbox"/> VICTIM		BADGE #	ID #	POST ASSIGN. #	POSITION	
DESCRIPTION OF INJURIES: <input type="checkbox"/> N/A						
<input type="checkbox"/> HOSPITALIZED <input type="checkbox"/> TREATED & RELEASED		NAME/LOCATION OF HOSP./TREAT. FACILITY		USED FORCE <input type="checkbox"/> YES <input type="checkbox"/> NO		PROCESSED EVIDENCE <input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> REFUSED TREATMENT				TYPE:		
<input type="checkbox"/> DECEASED DATE: <input type="checkbox"/> N/A		<input type="checkbox"/> N/A				

SEP SCREENED OUT

OCT 06 2006

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